



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

FRENCH INFLUENCE ON THE ADOPTION OF THE FEDERAL CONSTITUTION

THE relations of France with the United States during the War for Independence, the peace negotiations of 1782-1783, and the later controversy over neutrality have been the subjects of extended discussion. On the other hand, little attention has been paid either to the policy of France concerning the formation and adoption of the Federal Constitution or to the influence she attempted to exercise. Some investigation of these subjects, however, appears to be needed, when one considers that they appeared among the specifications which the revolutionary government of France made public in its exposure of the alleged perfidious conduct of Vergennes and Montmorin toward the United States during the whole period from 1778 to 1789.

The address to the President of the United States, reported by Gaudet to the National Convention on December 21, 1792, declared that the royal government had merely made a pretense of helping to secure American independence, and that its ambassadors had instructions to hinder the development of American prosperity.¹ In the same spirit, the instructions of Genet, also prepared in December, 1792, required him to remind the Americans of their natural brotherhood with the people of France, and enjoined him to explain that the reason for the failure of the two nations to reap the fruits of their true friendship lay in the treachery of the lately destroyed cabinet of Versailles. The Executive Council were said to have just learned with great indignation, by inspection of instructions given to Genet's predecessors, that at the very time when the good people of America expressed their gratitude in the most feeling manner and gave every proof of their friendship, Vergennes and Montmorin thought it advantageous for France that the United States should not attain the political stability of which they were capable, because they would soon acquire a strength which they would probably be eager to abuse.² Copies of official documents to prove that it had been the wish of France, expressed while the question was pending, that the Constitution might not be adopted were to be communicated

¹ *L'ancien Moniteur*, XIV. 810.

² *Annual Report of the American Historical Association for 1896*, I. 959. For the basis of this charge see *infra*, Montmorin's instructions to Moustier, page 307.

by Genet to President Washington when presenting his official letter.¹ Further, Genet gave to the American public an incidental revelation of malign royal French influence against the movement for the establishment of an efficient federal government, when he published his instructions in Philadelphia, in December, 1793.²

A similar interpretation of French policy upon this subject was given to Lansdowne by Talleyrand, in a letter written from Philadelphia on February 1, 1795. Talleyrand was developing at length his views upon the relations of the United States with European powers, and he found it necessary to account for the distrust of France shown by public men in America. His explanation was that it originated in the discovery, by the American leaders, that M. Ternant,³ the French ambassador, had instructions to oppose the movement for the Federal Constitution. They could but resent the perfidy of an ally who secretly wished to keep the states disunited, to condemn them to a long and painful infancy, lacking the strength to protect themselves. The influence which the French diplomatic agent, following his instructions, was able to exert against the Constitution in the Federal Convention and in the conventions of the several states was, to be sure, insufficient for the end desired. But his efforts aided in sowing the seed of Antifederalism, and since then American statesmen had feared the snares of fraternal association with the French.⁴

Suspicion about the truthfulness of the foregoing representations is engendered in the mind of the modern inquirer as soon as one searches for contemporary notice of opposition by French agents to the formation or ratification of the Federal Constitution. No evidence has been found, either in the public communications or in the

¹ Marshall, *Life of Washington*, II. note x. Genet also communicated copies of documents showing that France and Spain had tried to exclude the United States from the Mississippi, and that they were jealous of this growing power.

² *Genet and the Federal Government*, Philadelphia, 1793. His main purpose in this publication was to justify his course during the controversy with the federal administration. He sought to show that he had acted in accordance with his instructions. On the publication of Genet's instructions, see *Writings of Washington* (Ford), XII. 332 *et seq.*; *Life and Correspondence of Rufus King*, I. 447; *American State Papers, Foreign Relations*, I. 572.

³ The spelling of this minister's name in the documents signed by him is Ternant — although Americans commonly wrote it Ternan, and the form ascribed to Talleyrand is Ternau.

⁴ The letter which included these statements was first published in the *Revue d'histoire Diplomatique* in 1889, the significant sentences upon the immediate question now under consideration being printed on page 69. Talleyrand's extended comments upon American industry, commerce, and foreign relations are of great interest. Here are foreshadowed the arguments of his celebrated paper on commercial relations of the United States with England, read before the Academy in April, 1797.

published private correspondence of opponents of the Constitution, to show that opposition was encouraged and assisted by France. Nor is there any mention by its advocates of resentment on account of influence exerted by France to defeat their efforts for strengthening the Union. If any such opposition was made at all, it was managed by men so shrewd and cautious that their secret was not betrayed to the leaders who would have been glad to unmask foreign intermeddlers.¹ Furthermore, abundant contemporary commentaries upon all phases of the controversy over the Constitution are found among the despatches from America preserved in the Archives des Affaires Étrangères,² but they contain no reports of efforts to assist the Antifederalists. Finally, the only explicit and circumstantial charge of this nature is made in a source of dubious value, *i. e.* in a letter from Talleyrand, written in 1795. Whereas the National Convention of revolutionary France had been quite content with the public revelation that the government of the late Louis XVI. had not been a disinterested and helpful ally of the United States,³ Talleyrand ventured in private correspondence to make specific assertions of offensive interference in a question of American domestic policy, and gave what seemed to be corroborative details to substantiate the charge. But Talleyrand's situation as a proscribed émigré led him to overemphasize American distrust of France, and to gratify his friend Lansdowne by reporting news that the latter would be pleased to read. He might easily have confused the earlier difficulties of the peace negotiations, and the disputes over the navigation of the Mississippi, with the ill-feeling caused by more recent events and by the revelations made through Genet in 1793. He was certainly in error in naming M. Ternant as the agent of this reprobated French policy, for that gentleman was made minister to the United States only in March, 1791,⁴ and could not possibly have acted in that capacity to oppose the Federal Constitution in the Federal Convention (which Talleyrand assigns to

¹ On the contrary, Washington continued to express his cordial sentiments toward France, as in the following assurance to Moustier, on March 26, 1788: ". . . as no subject of uneasiness has turned up with respect to France, any disgust or enmity to the latter would involve a mystery beyond my comprehension. . . . But no prejudice has been revived, no jealousy excited (to my knowledge) which could have wrought a revolution unfriendly to your nation. If one or a few persons in New York have given a different specimen of thinking and acting, I rely too much upon your candor to apprehend that you will impute it to the American people at large." *Writings of Washington* (Ford), XI. 236.

² Archives des Affaires Étrangères, États-Unis, Mémoires, 1783 à 1789, Tomes XV., XVII.

³ The National Convention apparently expected by this display of frankness to remove any lingering vestiges of American sympathy for monarchical France.

⁴ *Moniteur*, March 7, 1791.

1789) or in the conventions of the several states. It is apparently a safe conclusion, therefore, in the light of these various considerations, that Talleyrand misrepresented the facts of Franco-American relations, and that no active steps were taken by French agents in the United States to prevent the adoption of the Federal Constitution.

Turning now to a somewhat different phase of the problem under discussion, what do the diplomatic archives reveal of the wishes and policy of France, as distinguished from her actual influence? ¹ The interruption of business caused by the death of Vergennes, and the absorption of attention by more important matters of diplomacy then pending, led to almost complete neglect of American relations during most of 1787.² Montmorin seems to have first considered American affairs in August, when his leading thought was that the rapid tendency within the United States toward complete independence of the states from each other would bring no unfortunate results for France.³ It was not until October that he attached the slightest significance to the movement for a revision of the Articles of Confederation. He explained then to Moustier that the question of a new constitution was of very slight importance in the policy of the King, but that His Majesty thought that it was to the advantage of France for the United States to continue in their present condition, because if they should attain the political stability of which they were capable, they would soon acquire a strength and a degree of power which they would probably be eager to abuse. Despite this last reflection, the minister was to adhere carefully to the position of a completely passive spectator, not showing that he opposed or favored the new project.⁴

¹ The publication of the correspondence of Montmorin and Moustier, communicated by Professor Henry E. Bourne, in the REVIEW for July and October, 1903, renders it unnecessary to quote at length the evidence for the conclusions now to be stated. Perhaps it should be said in passing that the documentary material for this study was obtained by the writer as a result of personal research in the French Archives in 1902.

² Vergennes died in February, 1787. The chief interest of French diplomacy in 1787-1788 centered in the state of Holland.

³ Montmorin's instructions to Otto, August 31, 1787, partly printed in translation in Bancroft, *Constitution*, II. 438.

⁴ Archives des Affaires Étrangères, États-Unis, 1777 à 1787, Supplément, Tome I., folios 421-426. This is seemingly a first draft of the document printed in the REVIEW for July, 1903, 710-714. Meanwhile Otto had expressed his opinion that the new scheme of government should excite the enthusiasm of all Americans who desired the prosperity of their country, despatch numbered 101, dated New York, October 20, 1787. A few weeks later he reported that certain politicians were using the approval of the Constitution by representatives of foreign powers as an objection to its adoption. Archives des Affaires Étrangères, États-Unis, 1777 à 1787, Correspondance, Tome XXXII., folio 401.

Moustier's first impression of the state of affairs in America was obtained in February, 1788, after five states had accepted the Constitution. Under these circumstances, he expressed to Montmorin the opinion that the time had passed for European powers either to favor or to oppose the adoption of the new Constitution.¹ Four days later, upon the basis of a little wider acquaintance and further reflection, he stated his views more comprehensively, but to the same general effect. He had sought to conform to his instructions, but in view of the fact that the Constitution was steadily growing in favor and perhaps would be adopted by all the states, existing circumstances seemed to require that he should avoid strengthening a widely prevalent opinion that the King had lost all interest in the American republic and that its success would even give umbrage to him. If the new Constitution should be adopted, and Congress should thereby acquire sufficient authority to give efficacy to its political alliances, it would be most unfortunate to allow the impression to prevail that the King did not really concern himself with the prosperity of the United States.²

It was after enlightenment from this correspondence that Montmorin wrote to Moustier, under date of June 23, 1788, his first and only despatch referring to the adoption of the Constitution as a pending political issue. In it he explained that he did not know whether France must deal with one government or with thirteen separate states. The reserve prescribed as to the Federal Constitution was ascribed to the resolution of the King not to mix in the internal affairs of the United States, and such reserve should be regarded as an evidence of His Majesty's respect for their independence, rather than as a proof of indifference. Yet he virtually repeated his earlier instruction by requiring the minister to abstain from expressing any judgment upon the new Constitution.³ The essential harmony of Moustier's views with the tendency of these instructions was shown by his record of his belief on June 25 that Virginia and New York would fail to ratify the Constitution, and that the defection of these two states would be fatal to the stability of the new government, even although New Hampshire had just supplied the ninth ratification. The tone of his reflections revealed no sense of disappointment for France in a continuance of American divisions and weakness.⁴ So, too, the assured triumph of the

¹ *Ibid.*, Tome XXXIII. folio 18; AMERICAN HISTORICAL REVIEW, VIII. 716.

² Correspondance, XXXIII., folio 31; AM. HIST. REV., VIII. 723. Moustier found, too, that partisans of the Constitution expected to see him take an active part in favor of its adoption.

³ Correspondance, XXXIII., folios 208-210; AM. HIST. REV., VIII. 727-729.

⁴ Correspondance, XXXIII., folios 214 ff.; AM. HIST. REV., VIII. 730-733.

Federalists gave him no cause for rejoicing, but merely led him to make pretense to American leaders that the adoption of the Constitution had always been desired by his royal master.¹

Scanty as the direct evidence thus reviewed unfortunately is, its purport is clear. While the question of the adoption of the Federal Constitution occupied no great share of attention in the administration of French foreign affairs, and while no actual interference to arrest the movement for a strong American central government was attempted, France would have preferred to see the United States remain under the weak and inefficient Confederation, and her ministers in America were to regulate their conduct circumspectly with due regard to this fundamental consideration of French policy.

CLYDE AUGUSTUS DUNIWAY.

¹ Correspondance, XXXIII., folios 332 ff.; AM. HIST. REV., IX. 90.